

WESTERLY TOWN COUNCIL.

As Court of Probate Continues Hearing in Burke Will Case—Other Business Transacted at Monday's Session—How the Matter of Pleasant View Water Supply Will Be Settled—Briefs and Personals

The Westerly town council met on Monday morning at a court of probate, for the consideration of probating the will of Miss Ellen Burke, who died January 9, 1909, the matter being referred to the council, as the judge of probate is a nephew of the testatrix. The will showed that the estate will not exceed \$1,500, and was presented by the executors, James W. Burke and Charles J. Butler.

There were fifteen witnesses present, and Judge Nathan B. Lewis appeared in opposition to probating the will. He suggested that all witnesses except the one giving testimony be excluded from the room.

James W. Burke, one of the executors, said that inasmuch as the will was to be contested, he asked for continuance on the ground that the executors had no legal counsel and he felt it was a duty to have the will legally probated. Postponement was necessary in order to secure counsel and have the case properly represented.

Judge Lewis objected to a continuance, claiming that the executors should have known there was to be a contest and be prepared to prove the will.

Patrick Burke, brother of the testatrix, also objected to a continuance and favored immediate action, asserting that the delay was merely a game of bluff.

The council decided to continue the case to Wednesday, March 10, at 10 o'clock a. m.

Then followed the regular monthly meeting of the Westerly town council, with President Clarke presiding and these councilmen present: Scanlon, Langworthy, Burdick, Maxson, Culley and Saunders.

Attorney Ledwidge, counsel for Angelo Di Mario, whose left leg was crushed, that resulted in the loss of the leg, made a statement that a member of the council and the town solicitor had approached his client and offered him \$200 to leave town. Mr. Ledwidge informed the council that he represented Di Mario and that any settlement effected should and must be made through him as attorney. He asked that the council inform him if a settlement was contemplated; if it was not done he would institute a lawsuit.

Councilman Langworthy said he did not believe the injured man had been offered any settlement, and that the attorney should not believe all he heard.

After Mr. Ledwidge retired, Joseph S. Grilla, representing Di Mario, stated that the injured man was anxious to settle the case, and that he did not want to engage in any lawsuit. He had been ejected from his tenement and needed assistance and was anxious to settle with the council. If he must pay a lawyer that would be a personal matter. He said Di Mario never said that the town solicitor or Councilman Langworthy made him an offer of settlement, but that he went to the two officials named and asked that they settle the matter with him. According to Mr. Grilla, Di Mario was advised to consult with Lawyer Ledwidge, and he did so through Joseph Grilla, as interpreter, but did not intend that suit should be brought against the town.

Town Solicitor Kingsley said he had nothing to say on this subject, and suggested a private session for that purpose.

Judge John W. Sweeney, counsel for Frank H. Gardner, asked that action be taken for the relief of his client, upon a matter which had been before the council for several months. By the removal of a bridge at Niantic, the New York, New Haven and Hartford Railroad company had obstructed a highway that was laid out in 1786, and in consequence the public was using a portion of Mr. Gardner's land. He wanted to know if the old road was to be abandoned or the public highway retained. This whole matter has previously been referred to a committee, and a vote was passed requesting the railroad company, whose representative has been examining titles, to make report to the next monthly meeting of the council.

Judge Sweeney, counsel for Pasquale

Salmeno of Pierce street and Pietro Tannover of Niantic, for pool room licenses, asked for action on their petitions, and expressed hope that those men would be accorded privileges that had been granted to others. On motion of Councilman Burdick this matter was deferred, to be taken up later in the meeting, or in private session.

Walter P. Dixon, attorney for Mrs. Thomas Conway, spoke in regard to damage done property by overflow of water, and asked that the defects be remedied. The matter was referred to a committee composed of Councilmen Saunders and Langworthy, with instructions to consult with Attorney Dixon.

John Sawyer of Summer street again asked that damages to his property by reason of overflow of water, and said he would relieve the town from all damage upon payment of \$100. On motion of Councilman Scanlon the matter was referred to Councilmen Langworthy, Maxson and Culley.

George H. Uiter was granted permission to erect staging in front of his property, in Main street, while repairs being made to the roof of the building.

A communication was received from the water commissioners asking for a special town meeting to authorize the extension of the water service to Pleasant View, and for the issue of \$10,000 in bonds. It was voted to hold the meeting March 15.

Dr. E. A. Lewis was granted permission to construct an approach over gutter to his driveway, in High street.

Albert N. Crandall was reappointed inspector of buildings, and Stephen W. Carney was re-elected a water commissioner for a term of three years.

Health Officer Lewis reported one case of typhoid fever during February.

President Clarke was appointed a committee to remove a tree from in front of the George Carpenter property, on the Potter Hill road.

Chief Brandfield reported a nuisance, the suppression of three disturbances and one store door found open during February.

The council then adjourned to the town hall for a secret session. It was decided not to grant a pool room license to Salmeno or Tannover, and to revoke the license issued to Joseph Guarino-Orray two months ago. It was decided to issue no more pool room licenses for places beyond the regular police patrol. The claim of Di Mario was discussed, and the committee will give the matter further consideration.

At the coming special financial town meeting to act upon a proposition to extend the water system to Pleasant View, and to issue bonds of \$10,000 to carry on the work it is liable to be opposed by residents within the Watch Hill fire district. They will endeavor to have the "Pleasant View" property owners burdened by the same restrictions that were willingly assumed by the Watch Hill fire district. In the latter case the cost of construction was assumed and bonds issued by the fire district to the amount of \$35,000, which are cared for by a sinking fund. In this case the whole system reverts to the Westerly water works, which will practically be a gift of the extensive and valuable plant.

The Pleasant View property owners have a different proposition, however, and the water is to be used for domestic and not fire purposes. Nearly all the property owners have agreed to pay a bonus of \$5 on the first year's service, and then to pay \$3 a year, the regular annual rate, as other consumers in Westerly. The Watch Hill people wanted the water extension to the Hill, and were satisfied to accept the terms offered by the board of water commissioners. Conditions have changed since then, and the water department can no longer afford to be more liberal with the Pleasant View property owners, who, however, in addition to the bonus are required to pay more than those in the compact part of the town, as they will not use water at

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Pleasant View over four months in the past.

Local Laconics.

The Westerly board of trade will talk business this (Tuesday) evening.

There was a meeting of the Westerly District Nursing society on Monday afternoon.

Ex-Governor Uiter of Westerly was one of the speakers at the Somerville, Mass., board of trade banquet Monday evening.

The committee on the Lincoln centenary celebration met in the conference room of the public library and memorial building Monday evening.

Mrs. Howard M. Chase, formerly Dolly Burton, is filling an engagement of three weeks with the Burton Jugg show, after which she will return to Westerly.

Owing to a death in the family of Judge Elmer J. Rathbun, there will be no session of the superior court for Washington county today (Tuesday). Cases assigned will be in order for Wednesday.

Misses Elizabeth and Lena Sweeney and Rose Allen left Westerly Monday afternoon for Washington, to witness the inaugural ceremonies. They will be the guests of Miss Mabel Higgins of Westerly, who is in the government service.

Mrs. Margaret McNamara, wife of Patrick McNamara of Pawcatuck, died at her home in West Broad street on Sunday. Besides her husband, she is survived by three sons and two daughters, Jeremiah P., Daniel W. and James M. McNamara, Mrs. John L. May and Mrs. Annie McNamara.

Representatives of the Granite Manufacturers' association and the Granite Cutters' union had a conference at the Dixon house Monday afternoon.

Miss Elizabeth Harris of Hartford, a teacher in the West Broad street school, has returned to her duties, after a month's absence on account of illness.

Waterbury.—Nathan W. Greenman of 39 Prospect street is one of the veterans of the civil war residing in this city who marched through Georgia.

Bridgeport.—Permits to construct new buildings with aggregate value of \$20,700 were granted by the building commissioners last week.

New Haven.—Gaul's cantata, "The Holy City," was given by the choir of Dwight Place church at their special musical service Sunday night.

Hampden.—Daniel O'Connor, for many years chief engineer at the Winchester & A. Co., is ill at his home in Hampden, the result of a shock.

Meriden.—A New York city company is seeking suitable quarters, with or without power, in Meriden for a shirt making industry.

Essex.—While woodchoppers were at work Tuesday on the woodland of A. P. Tucker, of Middleborough district, they saw a white deer, the first ever seen in that section.

Derby.—Over a score of local Knights of Columbus, accompanied by a large number of the Shelton council, went to Bridgeport Sunday afternoon, where a big meeting of the Bridgeport council was held.

East Hartford.—Lennie L. Brewer has returned to his law office, after a month's trip in the west, in which he visited B. P. City, Mich., Chicago, St. Paul, Spokane, Seattle, Portland, San Francisco, Los Angeles, Denver and Salt Lake City.

Greenwich.—On Friday, March 5, Greenwich will have a full fledged newspaper, which will be known as the Greenwich Investigator. The services of W. A. White, formerly managing editor of the Ansonia Evening Sentinel and later of the Middletown Press, have been secured as editor.

Bridgeport.—The Rev. Henry H. Tweedy, pastor of the South Congregational church, announced Sunday morning at the close of his sermon he had decided to accept the offer of the position of the chair of practical theology at the Yale Divinity school, recently tendered.

Hartford.—The Rev. Dr. Rockwell Harmon Foster, pastor of Center Congregational church, intimated Sunday night that he probably would accept the pastorate of the Collegiate Church of St. Nicholas, of New York, today (Tuesday), when a committee of five, headed by Charles H. Runk, will call on him here.

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